

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

OUTLAW LABORATORY LP,

Plaintiff,

v.

NB WHOLESALE, INC., ET AL.,

Defendants.

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Civil Action No. **3:18-CV-946-L**

ORDER

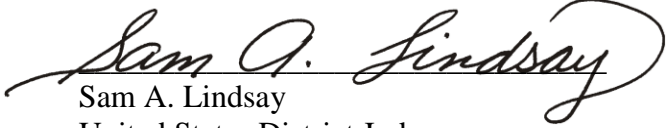
Before the court are Defendant NB Wholesale, Inc. and Touch Tell, Inc.’s Amended Motion to Dismiss (Doc. 39), filed June 20, 2018; Defendant S. & S. Food Corporation’s Second Motion to Dismiss (Doc. 47), filed June 28, 2018; Defendant Ashley Au’s Motion to Dismiss (Doc. 49), filed July 3, 2018; Defendant Linkin, Inc.’s Motions to Dismiss (Doc. 52), filed July 17, 2018; Defendant F & H Enterprise Inc.’s Motion to Dismiss (Doc. 62), filed August 7, 2018; and Defendant Jay Maha Dev, Inc.’s Motion to Dismiss (Doc. 73), filed September 28, 2018.

On February 11, 2019, United States Magistrate Judge Renée Harris Toliver entered the Findings, Conclusions, and Recommendation of the United States Magistrate Judge (“Report”), recommending that the court grant Defendants’ Motions to Dismiss and dismiss without prejudice this action on the basis that Plaintiff lacks standing to assert any of the claims alleged and, accordingly, the court lacks subject matter jurisdiction. No objections to the Report were filed.

Having reviewed the record in this case, Report, and applicable law, the court determines that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court. Accordingly, the court **grants** Defendant NB Wholesale, Inc. and Touch Tell, Inc.’s Amended Motion to Dismiss (Doc. 39); **grants** Defendant S. & S. Food Corporation’s Second Motion to Dismiss (Doc. 47); **grants** Defendant Ashley Au’s Motion to Dismiss (Doc. 49); **grants**

Defendant Linkin, Inc.'s Motions to Dismiss (Doc. 52); **grants** Defendant F & H Enterprise Inc.'s Motion to Dismiss (Doc. 62); **grants** Defendant Jay Maha Dev, Inc.'s Motion to Dismiss (Doc. 73); and **dismisses without prejudice** this action for lack of subject matter jurisdiction, on the basis that Plaintiff lacks standing to assert the claims alleged.

It is so ordered this 8th day of March, 2019.


Sam A. Lindsay
United States District Judge